# THE COURTS.

New York by Gaslight --- Rival Companies at Loggerheads.

# BUSINESS IN THE OTHER COURTS.

Summaries---Important Maritime Question --- Decisions.

The possibility of a new issue of inconvertible paper I regard with amazement and anxiety, and, in my judgment, such an issue would be a detriment and a shame. - CHARLES SUMNER

Yesterday Charles Callender spent a considerable time in the United States Courts endeavoring to perfect his bail bond for \$20,000 to take his second trial on the indictment accusing him of having accepted a bribe of \$76,000 from the Ocean National Bank. One bondsman, John Boylen, No. 139 Grand street, appeared, and signed the bond; but as a second was necessary, Callender had to remain in the custody of the Marshal, though he seemed to be under the impression that one bondsman was enough, as the property upon which the bond was given is worth far more than the amount specified. The District Attorney stated that, as the bond was drawn, it would be perfectly worthless without an

additional bondsman being upon it. Emile Blum, a member of the firm of R. M. Allen & Co., was charged, some time since, before Commissioner Osborn with having removed some of the assets of the firm, in certain proceedings in bankruptey, with intent to defraud the creditors. After evidence had been very fully given in the matter, and after hearing the statements and explanations of Mr. Edmond Price, counsel for ielendant, Mr. Blum was honorably discharged, the proof going to show that the assets which he had removed were the property of his wife.

Judge Blatchford sat yesterday in the United States District Court, and was occupied during the whole session in hearing arguments in patent

All of vesterday was consumed in the Court of Over and Terminer, Judge Brady on the bench, in an effort to obtain a jury for the trial of the two Italians, Stephani and Paolo, charged with the murder of Michael Harrold, in November last, in South Fifth avenue. Ten jurors were obtained, which exhausted the panel. Another panel was

#### NEW YORK BY GASLIGHT.

Contest Between Rival Gas Companies as to Lighting the City-The Matter in the Courts-An Important Argument. In November last the city advertised for proposals for lighting the street lamps. On the 25th of December the bids were opened and the contracts awarded on December 31, the same to take effect on the 1st of January and being for the present year. The Mayor, Comptroller and Commissioner of Public Works comprised the contracting board. All the old city gas companies-the New York, Manhattan, Metropolitan and Hariem-put in bids for their respective districts, and, excepting the Metropolitan Company, they each received the award through putting in the lowest bids. The youngest of our city gas companies, and rival of the rest, also put in a bid for the whole city, but only got the award for the Metropolitan Gas Company's district, emoracing that portion of the city between Thirty-fourth and Seventy-minth streets. An effort is now being made in the Court to prevent the city irom executing its contract with the New York Matual easight Company. The case came up yesterday in Supreme Court, Chambers, before Judge Donohue, on a motion to enjoin the city from fulfilling the contract. It came up on a remonstrance from Mr. Zollkoffer, President of the Metropolitan Gas Company, but not made in his capacity as President of the company, but is a taxpayer, and claiming that the carrying out of such contract would be a waste of the public money. only got the award for the Metropolitan Gas Com-

money.

Mr. Augustus Smith opened the argument for the motion. He insisted that the award of the contract with the New York Mutual Gaslight Company was in violation of the statute, that all the formalities required by statute had not been compiled with, and that the contract was irregular insamuch as it alled to specify the date from which it begin, and that thereupon the sureties could not be held accountable in case of its non-infilment. He chilarged at great length on each of these points, and read citations from the charter and from special statutes as well as quoting various cases in support of his views. Assistant Corporation Counsel Andrews made an

Assistant Corporation Counsel Andrews made an equally lengthy and indirectly equally cogent argument in opposition to the motion. He read various affidavits to start with, leading off with one of Mr. Charles Place, Secretary and Treasurer of the New York Mutual Gashight Company, setting forth that the company had already laid sixty-two miles of gas mains through the various streets and avenues of the city; that all that remained for them was to connect with the city gas lamps; that they stood ready to do this almost at a moment's notice; that the other gas companies were bound by an agreement entered into among themselves not to lay mains within the others' districts; that they were prepared to lurnish gas all through the city, except in the Hariem district, and that they had offered to lurnish gas for the street lamps at \$55 a lamp per year. An affidavit of Mr. Richard A. Storrs was also read, showing what the city had paid for supplying gas to the street lamps heretofore, the price before the existence of the New York Mutual Gas Light Company being from \$59 to \$55 cach. Mr. Andrews proceeded to show that this Law rival to the old gas companies had reduced the expense of lighting the city streets from \$55 to \$33 a lamp, being a saving to the city of \$270,000 a year. He insisted that this percentage of saving in the district in question did not look like a waste of the city smoney. The Mutual Gas Company had compelled this reduction, and while it was to be regretted that it could not then obtain the contract for lighting all the city and while it was to be regretted that it could not then obtain the contract for lighting all the city streets and avenues below Hartem, it was clear that in the present care, though it was possible to raise some merely technical objections to awarding it the contract, the public interest had been consulted in making the contract with time company. It was stated farther that this company now lighted all the public parks except the City Hail Park, and every place of amusement except the Academy of Music and Booth's Theatre, and, in short, that through its competing infinence the city was being furnished with better gas than herectofore and at reduced rates. alt the close of the argument Judge Donohue took papers, reserving his decision.

# BUSINESS IN THE OTHER COURTS.

# SUPTIEME COURT-CHAMBERS.

Decisions.

By Judge Lawrence.
Hackley vs. Draper.—See opinion.
Sarif vs. Sarif.—Decree of divorce granted.

By Judge Donohne,
Greene vs. Brown.—Order granted.
Price vs. Price.—Decree of divorce granted.
Sanders vs. Sanders.—Memorandum.
In the Matter, &c., Commonwealth rire Insurance

Company.—Reservace.
Wilson vs. Deen.—Opinion.
Foster vs. The Board of Commissioners of the Department of Public Parks.—Motion denied.
The Mayor, &c., vs. Remsen, &c.,—see opinion.

SUPERIOR COURT-CIRCUIT-PART 3. Decision.

By Judge Van Vorst.
Cushman vs. Martin.—Case and amendments

SUPERIOR COURT-SPECIAL TERM. Decisions.

By Judge Curtis.

The East River National Bank vs. The New York, Housatonic and Northern Ratiroad Company.—Motion granted.

Wright vs. O'Sull'van.—Motion for discovery deuled, without costs to either party.

COURT OF COMMON PLEAS-SPECIAL TERM. Decisions.

By Judge Larremore. n.—Rejerence ordered to Mr. William

Ryan vs. Ryan.—Reference ordered to Mr. Willia C. Reddy. Therry vs. Cronin et al.—Application granted. Levinger vs. Belling et al.—Judgment of fo

Healey vs. Lucca and others.—Order for exten-ation of time to answer vacated.

J. Jarrett vs. Lucca and others.—Order for exten-sion of time to answer vacated.

Platt vs. Richmond.—Ordered that plaintiff have juagment on demurrer, with \$10 costs of this mo-tion.

Platt vs. Richmond and others.—Ordered that antiffhave judgment on demurrer, with \$10 costs dman vs. Freeman .- Motion denied, with \$5 Conway vs. The Twenty-third Street Railroad ompany.—Motion overruled and plaintiff have leave to enter judgment. Clement vs. Keys.—Judgment for plaintiff \$10

and \$25 allowance. Stevenson vs. Morgan,—Motion denied. MARINE COURT-GENERAL TERM.

Important Maritime Question-The Jurisdiction of the Marine Court Over Offences Committed On the High Seas

Present Chief Justice Shea and Judges Joachimsen, Aiker, Spaniding and McAdam. The application in the case cited below is one of very considerable importance to the shipping interest of this country and foreign governments and ports. It decides, in fact, the jurisdiction of the Marine Court over cases which are supposed to be specially within its jurisdiction, and as this has been for some time a vexed question it is now happily, no doubt, to the consciences of for-eign consuls and of the Court itself, set at rest for

eign consuls and of the Court itself, set at rest for ever.

The opinion of the Court was delivered by Judge Joachimsen. Application having been made to the Judge at Chambers for a warrant, an order of arrest showing cause of action by the plaintiff, a seaman on board of a foreign vessel against the defendant, the second mate of said vessel, for an alleged assault, &c., on board of said vessel while on the high seas, and the application being referred to the General Term, so as to insure uniformity of practice, the following decision has been arrived at:—As a general rule torts committed on board a foreign ship on the high seas must be considered as having occurred within the territorial limits of the foreign nation to which the vessel belongs, and the parties having the ship's equipage, though actually here, can in law be considered remaining within the foreign jurisdiction. In such cases we have a discretion to exercise our power, and we have decided to decine to grant or maintain the order asked for unless it is made to appear either—first, that the plaintiff or defendant has been regularly discharged from his ship by competent authority; or, second, that either of the parties is a resident or citizen of the United States, in the excepted cases only will process be allowed. Decisions.

Decisions.

Before Chief Justice Shea and Judges Joachimsen,
Gross, Spaulding, Aiker and McAdam.

Politon vs. Bernneimer.—Judgment reversed and new trial granted, with costs to appellant to abide event. Opinion by Chief Justice Snea.

Fischer vs. Gross.—Judgment affirmed, with costs. Opinion or Court by Judge Spaulding, dissening opinion by Chief Justice Shea.

Dewey vs. Ransom. Judgment affirmed, with costs. Opinion by Chief Justice Shea, Judge Aiker dissenting.

Judgment absolute for the defendant, with costs. Opinion by Chief Justice Shea.

Locher vs. Keenex.—In all actions wherein the plantiff recovers less than 50 he is not entitled to either costs or disbursements, and the defendant is entitled to neither unless he has an affirmative judgment in his favor against the plaintiff. This is, in our opinion, the meaning and intent of the legislation of 1872 concerning costs and disbursements in this court.

Order appealed from to be amended in conform-

legislation of 1372 concerning costs and disburse-ments in this court.

Order appealed from to be amended in conform-ity with the decision.

Egbert and Another vs. Hirelsheimer.—Judgment for affirmance, with costs. Oninion by Case of the

Frank and others vs. Covert and others.-Judg-

Frank and others vs. Covert and others. Stagement affirmed, with costs.

Harriot et al, vs. Port.—The appeal from order of Judge Spaulding, vacating the order of arrest, confirmed in all respects, with costs to respondent.

Lehman vs. Wolf.—The decision in the case of Locher vs. Kleuch, decided at this term, disposes of the question in this case. The order appealed is reversed and to be conformed to the principle of that decision.

hat decision.

Badoureau vs. Sutton.—Judgment affirmed.

Barrington vs. Mott.—Order modified.

Reed vs. Roessler.—Order reversed.

Cohen vs. Brennan.—Judgment affirmed.

Reed vs. Roessler.—Motion to dismiss denied

nus vs. Bogert.—Taxation modified. Polhemas vs. Bogert.—Taxation modified.
Weed vs. Burt.—Order o: reversal amended by
awarding a new trial in this court.
Atwood vs. Butler.—Judgment reversed; new

Alwood vs. Butler.—Judgment reversed; new trial ordered. Stanley vs. Chamberlain.—Judgment affirmed. Kelly vs. Willis.—Judgment affirmed. Stewart vs. Martin.—Judgment affirmed. McConkey vs. Atkinson.—Judgment reversed and new trial ordered.

The possibility of a new issue of inconvertible paper I regard with amazement and anxiety, and, in my opinion, such an issue would be a detriment and a shame. - CHARLES SUMNER.

#### HARLEM POLICE COURT. An Old Prison Bird Again Behind the Bars.

Before Judge Kasmire. Thomas Golder, alias George Morrison, was yesterday committed for examination by Judge Kasmire, at the Hariem Police Court, on a charge of burglary. The complainant, Mr. John Edwards, of burglary. The complainant, Mr. John Edwards, of No. 421 East 123d street, alleges that on the night of December 9, 1873, his residence was burglari-ously entered and a parlor clock, valued at \$110, stolen therefrom, and that he has sufficient evi-dence to firsten the crime upon the prisoner. Golder is an old offender. He has served one term in the Penitentiary, and was but a short time ago released from Sinz Sing Prison, to which institution he had been committed for burglary,

# COURT CALENDARS-THIS DAY.

SUPREME COURT-CHAMBERS-Held by Judge on thue, -Nos. 57, 121, 145, 150, 226, 231, 245, 252, REME COURT-CIRCUIT-Part 2-Adjourned for Part 3-Adjourned for the term.
COURT-GENERAL TERM-Adjourned till Saturday, April 4. thi Saturday, April 4.
SUPERIOR COURT-IRIAL TERM-Part 1-Adjourned for the term. Part 2-Adjourned till Monday, May 4.

COURT OF COMMON PLEAS—GENERAL TERM—Will meet on Monday, April 6, for the purpose of rendering decisions.

COURT OF COMMON PLEAS—TRIAL TERM—Part I—Adjourned for the term. Part 2—Adjourned until the first Monday of April.

Manine Court—Trial Term—Parts 1, 2 and 3—Adjourned for the term. djourned for the term.

COURT OF OVER AND TERMINER.—Held by Judge rady.—The People vs. Peter Stephano and Sarnti Pavo genti Pavoh, nomicide.
COURT OF GENERAL SESSIONS—Held by Judge Sutherland.—The People vs. Owen Tramor, felonious assault and battery; same vs. Michael Ruppert, felonious assault and battery; same vs. Christian Mayer, felonious assault and battery; same vs. Wolf Vonschurdrand and Frederick Miller, felonious assault and battery; same vs. Wolf Vonschurdrand and Frederick Miller, felonious assault and battery; same vs. Thomas R. same vs. Won vonschurdrand and Frederick Miner, leionious assault and battery; same vs. Thomas R. Whiey and Henry Hawkins, burglary; same vs. John Sullivan, burglary; same vs. Samuel Conking grand larceny; same vs. George Howard, George Townsend and James Tynan, grand larceny; same vs. Frank Fuertisch, grand larceny; same vs. Delia Doyle, grand larceny; same vs. Charles Harns, forgery.

# COURT OF APPEALS.

Decisions.

ALBANY, March 31, 1874. In the Court of Appeals to-day the following decisions were handed down:-

Judgment affirmed, with costs.—Moody vs. El-dred; irvine vs. Mithank.

Judgment reversed and new trial granted; costs to abide event.—Undermit vs. Vanuervoort.

Judgment mitimed without costs to either party in this Court.—Howeil vs. Mits.

Orders affil med with costs.—The People, &c., vs. the Reart of Supervisors of Sullivan county in the

the Board of Supervisors of Sullivan county in the matter of William Sharp, Jr.

Appeal dismissed, with costs.—Underwood vs. Green. Motion denied, with \$10 costs.—Ferry vs. Wait.

Calendar. ALBANY, March 31, 1874.
The following is the Court of Appeals day calendar for April 1:—Nos. 308, 89, 131, 7, 166, 81, 57, 161.

The possibility of a new issue of inconvertible paper I regard with amazement and anxiety, and, in my judgment, such an issue would be a detriment and a shame. - CHARLES SUMNER.

A female "fifteenth amendment," calling herself Francess Perrin, has for some weeks past been employed as domestic servant in the house of James Lally, residing at Yonkers, Westenester county. Having been left in sole charge of the house while the family was absent for a couple of days, the girl Levinger vs. Gronin et al.—Application gradied.
Levinger vs. Belling et al.—Judgment of foreclosure granted.
In the Matter, &c., Bickford Knitting Company.—
Accounts passed on consent.
By Judge J. F. Daly.
Rummel vs. Tower.—Order signed.

MARINE COURT—CHAMBERS.

Decisions.
By Chief Justice Shea.
Paimer vs. Coddington.—Case restored to calendar for trial.

Agreet vs. Lucca and others.—Order for extension of time to answer vacated.

Coveted and took a quantity of wearing apparel, jewelry, &c., valued at about \$700. On Monday afternoon Francess hastened to the railroad depot to meet her master and mistress, both of whom she assured, through her tears, that borgiars had broken into the house, and, after beating her in a cruel manner, carried away all the most valuable articles they could find. An examination of the premises satusfied the police that the story told by Francess was not true, and Roundsman McLaughlin was acquainted. The accused was arraigned yesrelay in the City Court, and committed, in default of \$1,000, to await an indictment for grand larceny by the Grand Jury. coveted and took a quantity of wearing apparel,

#### SPIRITUALISTIC ANNIVERSARY.

The Spiritualists at Robinson Hall Yesterday Afternoon-Celebrating a Twenty-Sixth Birthday.

Yesterday afternoon the twenty-sixth anniversary of the advent of modern Spiritualism was celebrated at Robinson Hall by a grand oratorical. spread-eagle entertainment. As early as two o'clock the mediums began to glide, spirit-like and stry, into the hall. The long-haired brethren and short-haired Sorosis mingled in happy union and conversed with matter-of-fact familiarity about the ghosts they had lately shaken nands with. The flow of soul was brought to a mil stop by the "feast of reason" which the programme contained. This document stated that Judge Edmonds would be present to address the meeting, and his conspicuous absence made countless numbers mourn. The chorroneed proceedings with most effective singing. When the last dulcet strains of the syren song faded into thim air Dr. Hallock made "some remarks." Miss Jennie Adams next sang a solo; and, previous to the flute solo of Mr. Withers, Mrs. Charlotte B. Wilbour made "more remarks," and Mr. T. G. Forster, who has been hibernating during the winter, came forward and delivered "other remarks" while in a trance. While in this bhissful condition there was enough of earth in his soul to allow him to retain certain tables of figures which it took Herschell years to complie. From these figures he made the following startling deduction—to wit, that it would take a soul, travelling at the same rate of speed as light, 1,900,000 years to get to heaven, which was said to be situated on the outer verge of the material universe. This revelation, horrifying as it must be to all who believe in heaven, ended the first part of the programme, and Mrs. P. A. Welsand opened part second with a solo. Mrs. Nettic Maynard was put into a trance by Dr. Bramford, who amused everybody very much. Mr. Warren S. Barlow read an original poem, entitled "Twenty-six Years Ago," which evoked much appreciation from the brethren and sisters. Two more "few remarks," by ladles and gentlemen, and the twenty-sixth anniversary of modern Spiritualism closed to the satisfaction of all. ment stated that Judge Edmonds would be present

The possibility of a new issue of inconvertible paper I regard with amazement and anxiety, and, in my judgment, such an issue would be a detriment and a shame .- CHARLES SUMNER.

#### REAL ESTATE.

There is quite an apparent increasing interest in the real estate market, owing to the possible grave contingencies pointed out here of the carrent situation and pending Congressional legislation, and there was a large attendance at the salesroom vesterday to watch the day's business. The following was the result in respect to sales:-By A. H. Muller & Son, by order of the Court, in fore-closure, the four story brown stone house and lot, 19x 100.5, known as No. 100 Sast Sixty-first street, south side, 174 feet west of Third avenue, to Adototh Elaber for \$2,000 over morigage and interest of \$18.290. Total, \$20,250, Also soid by erder of the Court, in foreclosure, the three story and basement brown stone house and tot. 19.5x 190.11, on the north side of 1234 street, \$9 feet west of Fourth avenue, to Emanuel Loewensfels, the second mortgage, for \$12.20. Fourth avenue, to kmanuel Loewensfels, the second mortgage, for \$12.20. Emanuel Loewensfels, the second lot, 19.5x100.11, on the north side of 1234 street, 18.10 feet west of Yourth avenue, to Ricer Rocketeller, the second mortgage, for \$13.150.

The three story and basement brown stone house and lot, 19.5x100.11, on the north side of 123d street, 18.4 feet west of yourth avenue, to Ricer Rocketeller, the second lot, 19.5x100.11, on the north side of 123d street, 19.4 feet west of 1 ourth avenue, to John May, the second mortgage for \$13.300.

west of fourth avenue, to John May, the second mortage, for \$13.50.

S. Dingee sold in partition the three story brown stone
house and lot, 18.5x100, on the south side of 120th street,
100 beteast of Second avenue, to R. C. Harvey, for \$12,500, on
the south side of 110th street, 254.2 feet west of
third avenue, to J. Discoway, for \$9,300. The three
story brown stone house and lot, 18.5x100, on the south
side of 124th street, 100 feet west of First avenue, to J. T.
Marks for \$12,70. The three story brick house and lot,
18.5x100, on the north side of 115th street, 110 feet east of
Second avenue, to J. Discoway for \$7,700. The three
varent lots, each 25x100, on the southwest corner of
Southern Boulevard and Lincoln avenue, to the same for
\$15,990.

A. J. Bleecker, Son & White sold by order of the Court, in toreclosure, the triangular gore lot, \$3.3x7x1.7, on the south side of xinctieth street. 36.9 feet east of Lexington avenue, to John D. Cleary for \$4.100. Also sold the triangular gore lot. 11.10x100.33x135.03x139.2, on the north side of Eightv-ninth street, 125 feet west of Third avenue, to same for \$3.000.

#### NEW JERSEY EDUCATIONAL MATTERS.

Yesterday, in Bloomfield, Essex county, N. J., the annual session of the County Teachers' Institute was commenced. The attendance of male and female teachers was large and the proceedings were full of instruction and interest. The opening address was made by County Superintendent Davis, in the course of which he dwelt on the pavis, in the course of which he dwelt on the necessity of teachers paying more attention than usual to the branches of reading and orthography. Elecution and symmastics were also dwelt upon as subjects of great importance. He closed by pointing out the responsibilities and honors of the profession and satisfied many that teachers, after all, were not the worst paid or hardest worked class of laborers in the world's vineyard. The institute will be in session until Friday.

#### THE JERSEY CITY MAYORALTY. Democratic Convention-The Party Split

The most exciting gathering of the democratic party for many years in Jersey City was that yesterday in McPherson Hall, on the Heights. The object of the Convention was the nomination of a candidate for Mayor. The feeling ran unusually high, as the city has been plundered for the past three years, and a candidate who would battle with the Ring commanded a premium. The boards of government of the city sent up their emissaries to de'eat Bevans, who was pledged to crip the Ring. The first ballot resulted as follows Traphagen, 38: Bevans, 23; Hassam, 7; Brinker-hoff, 2. The announcement created wide conster-nation, and more than half the spectators rushed from the hall. A meeting of the young democracy was held in the evening, and a call for a mass meeting, signed by James M. Brann, was ssued. This split will result in the election of a republi-can Mayor.

CLOSE OF THE HOLY INNOCENTS' MISSION. Last night in the Church of the Holy Innocents Thirty-seventh street, near Broadway, the Rev Father Koopmans, S. J., closed the two weeks mission with a lecture and papal penediction, to mission with a lecture and papal benediction, which there is a plenary indulgence attache The reverend lecturer spoke at length on t means whereby his hearers should preserve t fruits of the mission just ended. Those mea were—first, prayer; second, frequenting the sact ments, and third, avoiding the occasion of si The mission has proved a great success.

# CITY BALL NOTES.

The venders of fruit and fish who have been obstructing streets in the immediate vicinity of the markets have been ordered to desist from the practice. If the order is not compiled with the venders will have their beenses revoked.

The assessments for opening and extending Lexington avenue from 102d street to the Harlem River amount to \$542,312 50 upon 5,070 lots.

# CITY AND COUNTY TREASURY.

Comptroller Green reports the following dis bursements and receipts of the treasury yesterday:-

From taxes of 1973 and interest.
From arrears of taxes, assessments and interest.
From collection of assessments and interest.
From market Fents. om water rents, on licenses, Mayor's office, on Department of Public Paras—rents, &c. om Department of Docks—rents, &c. om Health Department—fines, &c. om fees and fines—District courts

\$83,652 The Comptroller paid yesterday, through Pay-master Pais, laborers on boulevards, &c., to 21st uit., amounting to \$43,917.

# THE CHAMBERLIN-WILKES LIBEL SUIT.

This case, which has been up at Essex Market Posice Court several times during the winter, was called again yesterday alternoon by Judge Otterbourg. It occupied the whole afternoon session of the Court, and is apparently as far as ever from the Court, and is apparently as far as ever from settlement. The first witness called was Mr. Chamberlin, who deposed that it was on the article contained in Wilkes' Spirit of January 3, 1874, that he tounded his charge of libel.

Several other witnesses were examined as to the character of Chamberlin's house, but no information was obtained, owing to the objections of Judge Fullerton, which the Court sustained.

The case was adjourned until Tuesday next, at hall-past two P. M.

# A CELESTIAL DISTRESS WARRANT.

Ah Bachor and Ah Fou are Celestials employed in Belleville, N. J. Against his brother Celestial Ah Fou brought suit and procured a distress war-An Fon orought suit and procured a discress warrant. The making out of the latter occasioned
much distress in the Essex County Courts. The
iaw, governed by our treaty with China, requires,
it seems, that an such documents shad be made
out in Chinese. In the case of Ah Fou it was
accordingly so done, the warrant being translated
from English to Chinese by an interpreter,
specially employed. It was placed in the Sherin's
hands for execution.

#### THE DISTRESSED.

The Relief Fund. Donations for the poor received by the HERALD and not previously scknowledged:— J. S. C., weekly gift to St. John's Guild . E. L., Forty-eighth street.

St. John's Guild and the Downtown

The following additional contributions were received yesterday by Rev. Alvah Wiswall for the poor of the Fifth and Eighth wards, and handed to the Almoner of the Guild, Mr. Henry C. De Witt :-[Those desiring to visit the office of the Guild will remember that it is in the school buildings attached to St. John's chapel, Varick street, between

Laight and Beach streets.] A friend...... THROUGH MRS, MAJOR KELLEN. THROUGH MRS. HAYES. J. Washbourne.
Clark & Seaman.
J. W. Quintard & Co.
W. & R.
A. Cuban.
Thomas McGoung.
SENT TO GUILD OFFICE. "For the poor," proceeds of mite chest...
A. M., for Mrs. B. 

John's chapel, Varick street.

Packages of clothing, groceries, &c., should be sent to St. John's chapel, Varick street, between Laight and Beach streets, or if an order be sent a messenger will call for any packages.

Mrs. Judge Brady, No. 19 West Thirty-third street, has kindly consented to receive subscriptions.

The Charity Benefits.

At a meeting of the managers of the various theatres represented in the charity benefits on Thursday, the 26th ult., held yesterday, Mr. H. D. Palmer, Jarrett & Palmer, Niblo's Garden; J. B. Booth, Booth's Theatre, and Charles Chamberlain, Jr., the Lyceum Theatre being among those present, it was resolved that from the hand realized from said benefits the following sums be appro-

St. John's Guild.
Women's Educational and Industrial Society.
Ladies Union fielder Society.
New York Association for Improving the Condition
of the Poor. of the Poor. 1,500
Society St Vincent de Paul 1,500
To the indicent members of the dramatic profession, through the agency of the Pramatic Fund. 2,500 The remainder of the fund derived from the charity benefits will be held subject to the disposition of the managers at a future meeting, the sum so remaining being about \$11,500.

Ald to Mrs. Dawson. "Louisiana" is informed that her parcel of clothing, &c., was delivered to Mrs. Dawson, No. 221 Mott street, through the kindness of St. John's Guild, and that she has, at her request, been sent by the Guild to the Asylum.

The Juvenile Guardian Society. TO THE EDITOR OF THE HERALD :-

The downtown operations of the Juvenile Guardian Society were intended to benefit chiefly the newsboys and bootblacks crowding the thoroughfares of the lower wards in the severer winter months. Last year the efforts of the society were directed almost exclusively to these boys, a very large proportion of whom are very poor and much exposed in winter. But, as in January last, widespread and unprecedented want was painfully thrust upon the public attention, this society—though primarily intended for children only—determined to do all it could to relieve the general distress without regard to age. When all classes—churches, theatres, money-changers—were proposed to the proposed the same of the spread and unprecedented want was painfully pensed.

The following donations have been received at the Rehet, No. 14 Dey street, since the last re-

Charles P. Woodward, No. 128 Front street, 4 barrels of vegetables and keg of celery. Heyman & Mack, corner Hudson and Houston streets, 60 loaves of bread. Washington Market Butchers' Association, 523 pounds of beel.

Michael Jones, No. 212 Fulton street, i box of clothing. F. B., i bundle or clothing. Henry C. Sweet, No. 145 Liberty street, I ton of coal. Ferguson & Lott. No. 87 Dey street, 5 barrels of vege-tables.

D. F. ROBERTSON, Secretary. No. 14 DEY STREET, March 31, 1874. paper I regard with amazement and anxiety, and, in my judgment, such an issue would be a detri-

Tenth Ward-Help for the Hungry. NEW YORK, March 31, 1874.

ment and a shame.-CHARLES SUMNER.

To the Editor of the Herald:I have this day received the following contributions of bread for the poor of the Tenth precinct:-Joseph Fleische, No. 135 Eldridge street. 100 loaves.
Peter Groth, No. 91 Eldridge street. 100 loaves.
Charles Flair, No. 155 Eldridge street. 100 loaves.
Charles Flair, No. 155 Elving on street, 25 loaves.
Also from Bernard O'Roork, No. 25 Forsyth street, 310 cash.

JOHN J. WARD, Captain Tenth Precinct Police.

Sixteenth Ward. NEW YORK, March 30, 1874. To the Editor of the Herald:—

I have this day received the following contribu tions for the poor of this precinct :-

Thomas P. Wailace, brewer, No. 450 West Twenty-sixth street, 500 loaves of bread. John Wanner, baker, No. 194 Ninth avenue, 50 loaves of bread. Matthew Halpin, No. 144 Tenth avenue, 100 loaves of THOMAS CHERRY, Captain Sixteenth Precinct Police

NEW YORK, March 28, 1874.

To the Editor of the Herald:—
The following contribution of bread has been made for the poor of this precinct :-Thomas P. Wallace, brewer, No. 450 West Twenty-sixth reet, 500 loaves of bread.

THOMAS CHERRY, Captain Sixteenth Precinct Police

Brooklyn Charity. The matinee performance on Saturday last at the Olympic Theatre netted \$964 in aid of the Tenth

and Fourth precinct soup kitchens. The amount realized by the Park Theatre performance in behalf of the poor of Brooklyn was \$650, which was distributed among the following charities:—Home for Friendless Women and Children, Association for improving the Condition of the Poor, the precinct soup houses, Children's Aid Societies, Eighta ward relief associations and Mrs.

Periy's relief bureau.
Yesterday 3,548 persons were supplied with soup at the Vanderbuit avenue kitchen. The Hamilton avenue soup house closed yesterday for the sea-

A large number of influential citizens of Brook-

A large number of influential citizens of Brooklyn, having concluded to give a dramatic entertainment at the Academy of Music on April 7 in aid of the poor, have solicited the co-operation of the Police and Pire Commissioners, urging said departments to instruct subordinates to assist them in the sale of tickets for the landable object in view. A gold badge will be presented to the fireman who sells the most tickets.

The superintendent of the Children's Aid Society has made an appeal to the public for clothing for the boys who are immates of that institution.

An entertainment in aid of the poor of the parish of St. Mary's Star of the Sea will be given in the hail of the parocal school by the young people of that congregation on next Monday evening.

The collections taken up in the thrity-six Catholic parishes of Brooklyn on Easter Sunday will be for the benefit of the Orphan Asylum. The crief content is the orthogonal school by the young reopie of the resources of the asylums for the little ones who are deprived of their natural protectors was never greater than at the present, and dishop Laugnlin makes an earnest appeal in behalf of this great charity.

THE NEW QUARANTINE STATION.

# THE NEW QUARANTINE STATION.

To-day Health Officer Vanderpoel will take for, mal possession of the new boarding station at Cinton, on Staten Island. News has open sent to the Pilot Commissioner of the change of location, so that the pilots may bring vessels to an anchorage at the new station. The Quarantine grounds at Tompkinsville are now apandoned.

# THE GREAT SANBORN CASE

Sudden Termination of the Trial of Sanborn, Hawley and Vanderwerken.

A Verdict of "Not Guilty" Ordered.

The possibility of a new issue of inconvertible paper I regard with amazement and anxiety, and, in my judgment, such an issue would be a detri-

ment and a shame. -- CHARLES SUMNER The trial of Messrs, John D. Sanborn, Lucien Hawley and Alfred Vanderwerken, who were indicted on the charge of conspiracy to defraud the government, was suddenly brought to a close yesterday in the United States Circuit Court, Brooklyn, by a decision of Judge Benedict, holding that the prosecution must fail upon the indictment. The court room was crowded, as upon Monday. Among those present were Collector Simmons, of Boston; Colonel Berbert, formerly of New Orleans; Chief Clerk Hawley, of the New York Police Board; Assistant Solicitor of the Treasury Robinson, General Catlin, ex-District Attorney Morris, Thomas E. Pearsall, United States

The Court adjourned on Monday, pending an objection of the defence to the introduction in evidence of the contract between Sanborn and the Secretary of the Treasury. Yesterday Judge Benedict, upon taking his seat on the bench, read the

DECISION

on the question raised :-

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This case rested yesterday upon an objection by the detence to the introduction in evidence of what has been designated as the Sanborn contract. It was urged upon the ground, among others, that the indictment states a contract different from that offered in evidence by the government. This objection was taken advantage of to present to the Court at this early stage of the trial a question, apparently the test question of this case, and which has been so treated by both sides. In determining it I remark that it is not to be supposed that it was intended by this indictment to charge the defendant with a conspiracy to defraud the United States by obtaining in a lawful way from the Treasury of the United States sums of money due and payable by virtue of a lawful contract. The only theory of the prosecution, therefore, which can be gathered from the language of this indictment is that, notwithstanding the contract made with Sanborn in respect to certain taxes, it was still the duty of the regular revenue officers without his assisting in such collection. The charge intended to be stated thereupon is that after the execution of the contract and taxes as should be collected by the revenue officers without his assisting in such collection. The charge intended to be stated thereupon is that after the execution of the contract officers without his assisting in such collection. The charge intended to be stated thereupon is that after the execution of the contract was made between Sanborn and the revenue officers named that these officers should not do their duty in collecting these taxes, but should receive them as agents of Sanborn and hand the money over to him in order that he might transmit it to the Secretary of the Treasury, and thereby be enabled to claim and receive under color of

their duty in collecting these taxes, but should receive them as agents of Sanborn and hand the money over to film in order that he might transmit it to the Secretary of the Treasury, and thereby be enabled to claim and receive under color of his contract money to which he was not entitled, and the United States be thereby defrauded thereo.

The contract is referred to in the ministenent as one of the means to accomplish the conspiracy charges; but there is no averment that the contract was an illegal one, nor is the crime charged that of obtaining the contract by false and fraudulent representations. The contract is conceded to be a valid contract, and to have been in existence and effect at the time of the indicament as a contract whereby Sanborn became entitled to fifty per cent of such taxes only as should be discovered, collected and recovered by him (Sanborn) and which he (Sanborn) should assist the officers in recovering. The contract under consideration, with its attendant documents, is offered in evidence in support of this argument. Being thus called on to determine the legal effect of the contract made with Sanborn, I have examined its provisions. The result of my examination is the conclusion that the contract which Sanborn obtained

BOES NOT LIMIT HIS RIGHT TO A PORTION of such of the taxes therein named as might be collected by means of his aid thereafter rendered, but that upon the execution of the contract Sanborn acquired a right to recover, upon the collection of the taxes included in his contract, the supulated portion of such taxes, however and by whomsoever collected. The contract was claimed by Sanborn and awarded by the Secretary upon the ground that Sanborn had already discovered the indebtedness to the United States of the parties named, and that these taxes were being withheid. It, in express terms, confers upon Sanborn the right to collect the taxes due from parties designed by hame, and it then expressiv declares that whenever any money saail be collected from the persons named—cithe

shall be paid to Sai

promise of such ciaim—there shall be paid to Sanborn, out of such money, as fast as collected, fifty per cent of the amount, which is nowhere in the contract described as compensation for services to be rendered in the collecting of the indebtedness which was taken to have been discovered by him. Such a contract Does not support the averment in the indictions of the indebtedness which was taken to have been discovered by him. Such a contract Does not support the averment in the indiction of the scope and effect of the contract, and the error seems fatal to the charges in this indiction. Such being my opinion upon what is conceded to be a decisive point in the case, I do not consider the other grounds of the objection.

District Attorney Tenney then arose and said:—

IS THERE POVERTY IN THE PROSECUTION ?

If Your Honor please, I desire, before the Court is djourned, believing it to be due to myself and to my office, to make this statement. My attention this morning has been called to the publication o a circular in the NEW YORK HERALD pertaining to a subscription being raised for the prosecution of this case. I desire to say that I never saw this paper. I never knew of its existence. I have never received a dollar to aid in this presecution, and I have never asked for a dollar to aid in this prosecution. Furthermore, I do not consider it necessary,
because I have always believed through the many
months I have had this case under consideration
that we had a periect case, and, with all due delerence to the decision which Your Honor has rendered, I still consider that we have, and that
we are prepared to show by many witnesses,
who are the representatives in this district,
that Mr. Sanborn never assisted in the collection
of this money, but that the money was collected
by Mr. Vanderwerken and Mr. Hawley, the regular
revenue officials, and was conveyed to the Treasury Department, from which Mr. Sanborn obtained
one-hall, and represented to the Secretary of the
Treasury at the same time, faisely and fraudulently, that it had been paid to him and that he
nad discovered and collected the same. have never asked for a dollar to aid in this prosecu-

Treasury at the same time, laisely and fraudulently, that it had been paid to him and that he nad discovered and collected the same.

THE DEFENDANTS SAY THE PROSECUTION IS A MISCONCEPTION OF LEGAL RIGHTS.

Mr. Tracy—Now, Your Honor, we have nothing to say in reply to the speech of the District Attorney supposed before he brought it. We have only to say this:—That it seemed to us from the beginning that the prosecution or what the District Attorney supposed before he brought it. We have only to say this:—That it seemed to us from the beginning that the prosecution was founded in the most marveilous misconception of the legal rights of these parties. We have never doubted for an instant what must be the final result of this case the moment it could be brought to the test of a judicial decision; and, therefore, in that confidence, we raise this point in the beginning of this case. That Mr. Sanborn has practised any deception upon the Secretary of the Treasury, before or subsequent to the making of this contract, is quite as unlounded as any other remark of the District Attorney. I hold in my hand a book, if Your Honor please, from which it has been consented either party might read, which shows, by document after document, that the Secretary of the Treasury was informed, from time to time, of the precise manner in which this contract was being executed and these moneys collected, and that no deception of any description has ever been practised upon the Secretary of the Treasury by Mr. Sanborn or by these revenue officers—the revenue officers that acted under the instructions of their superior officer; and, I say, not only has this contract been executed according to its terms, out their superior officer; and, I say, not only has this contract been executed according to its terms, out their superior officer; and, I say, not only has this contract been executed according to its terms, out their superior officer, and, I say, not only has this contract been executed according to its terms, out their superior, nothing,

Jugor any other charge.

Mr. Tracy-Then, I suppose, upon the decision of Your Honor nothing remains but for Your Honor to direct the jury to acquit the defendants of the crime charged.

THE PROSECUTION HUMBLE, BUT CLAIMING TO BE

THE PROSECUTION HUMBLE, BUT CLAIMING TO BE RIGHT.

Assistant District Attorney Hoxie—It seems to me that it should be definitely and specincally understood, if such direction is to be made, upon what specific ground that direction is so to be made. And, if we understand Your Honor's decision correctly, it is this (if iam mistaken in the statement you would oblige me by correcting my interpretation of it)—we understand Your Honor's decision to be substantially this, that the Secretary of the Treasury has made sone a contract with Mr. Sanborn that all claims which he has filed with him as the basis of the contract are his claims exclusively, whenever and however collected, whether by his assistants, or each or any; that still he is to receive fity per cent of the amount of those taxes when collected, and that, no matter whether Mr. Sanborn discovered these claims which be filed with, the Secretary of the Treasury, or whether these claims were originally discovered by Mr. Vanderwerken or Mr. Hawley and placed in his hands and given by him to the Secretary of the Treasury,

discovered these claims out of which he proposed to assist the officers in recovering the amount, notwithstanding these facts which we proposed to prove in this case, yet the Secretary of the Pressury has made such a contract with Mr. Sanborn as that he is entitled to flity per cent of these taxes, which he neither discovered, in the first place, and which he did nothing whatever towards collecting. If that is the decision of the Court in this case we bow most humbly to that decision, and have simply to say that our interpretation of this contract, made by the Secretary of the Treasury of the United States, was a very different sort of contract from that, and we will not believe, even now, that the Secretary intended to make any such contract.

Ex\_Judge Shipman—All that we have to say is that

that

THIS DISCUSSION IS ENTIRELY DISORDERLY,
as Your Honor has decided the question, which
was a test question which we made in perfect good
faith and made with the utmost confidence. I
trust, Your Honor, it is not supposed that we
made this in any triffing or captious spirit.
We made it as going to the basis of this
prosecution and the gentleman stated that it was
a test question. Your Honor has taken the view
sustaining the point which we presented. We are
content with that decision, and it is unbecoming
the officers of the law representing the government to have any criticism or complaint.

District Attorney Tenney—We make no complaint
or criticism.

or criticism.

Assistant District Attorney Hoxie—We make no complaint if it had been given to the jury to decide the case.

Judge Benedict—Have you any further evidence?

District Attorney Tenney—Phis disposes of the

case, sir.
Judge Benedict (to the lury)—Gentlemen of the
Jury—The law point which was raised, in my opinton, disposes of this case. This is the opinion of
the prosecuting officer, and, in the absence of any
other evidence, you have no other duty than to

upon the indictment.

The jury then formally rendered a verdict of not guilty and the deiendants were discharged.

The deiendants were immediately surrounded by their numerous friends, who were present, and cordially grasped by the hands and congratuated upon the auspicious termination of the case.

District Attorney Tenney and his assistant, George W. Hoxie, conducted the case for the government, and B. P. Tracy, ex-Judge Shipman, M. V. B. Bachman, J. I. Davenport and J. R. Erhardt for the defence.

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#### STUDIO NOTES. Saturday was the last day for the reception of

works intended to form part of the spring exhibition at the Academy of Design. Considerable effort has been made by the artists to render this year's exhibition noteworthy as the point of a new departure in the history of the Academy. Many artists whose works have been missed for years from its walls will contribute to this season's exhibition. We regret to learn, however, that, owing to some dissatisfaction, a number of artists will not exablt, among others T. L. Smith, who has just fluished several pictures in his best style. His works occupy a little nook by themselves in American art, and we shall regret to miss his old manor houses and moonlight scenes from the Academy walls. His imaginative landscapes, with old castles thrown in to give the necessary human interest and picturesqueness, are full of charm and are quite distinct from the work of his brother artists. "The Oid Castle," suggested by some lines of Tennyson, has just received the final touches and shows clearly that Mr. Smith is surely drifting away from the mere literal production of landscape into the higher regions of composition and imagination. James M. Hart will be represented by a cattle piece of much quiet strength and a very clever landscape with cattle. The composition of this latter picture is remarkably strong and effective. The scattering of lights over the canvas, which sometimes occurs on Mr. Hart's pictures, has been avoided in this one and greater force secured for the composition. The work differs in style from Mr. Hart's previous efforts, and marks a step forward. The burst in the clouds and the hazy effect on the woods in the background have been admirably rendered.

Church is engaged on an important work, "The Mountains of Petrea," for waich he made the stu-Lazarus is, as usual, portrait painting. He is engaged on a posthumous portrait of Mr. Chapin. Vaint has finished a large cauvas which he calls "The Duke's Page." It is brilliant in color and

dramatic picture called "After the War." represents a widow and child in deep distress. Smillie is engaged on an incident of camp lifetourists fishing in Lake Rockett, with their camp

painted broadly and with much force. This artist

will be represented in the Academy by a very

seen in the distance.

Calverly has finished in marble an admirable bust of the Rev. John MacLean. It is splendidly modelled and is a real work of art. He is at work on a little marble head, which he appropriately calls "Innocence."

Clinton Ogilvie sends to the Academy a quiet Connecticut landscape, which is very successful in its color treatment. "Byroad near Baveno" is the title of a quiet and cool Italian landscape, with groups of buildings in foreground. It has the great merit of being free from the eternal g

artists always throw over Italian scenes. Samuel Colman passed the winter in Dresden and is now in Italy. He intends returning to

America to July or August. Dagley, who made a considerable reputation by his illustrations of "Rip Van Winkle," is now en gaged illustrating the "Searlet Letter." His designs show decided improvement and matured power is

his artistic work. Miss L. Woodward will be represented in the Academy by some studies from nature—delicious bits of wood and water.

E. Gay's Academy picture will be a narvest scene, "Ripe and Ready." On this artist's easel are two clever canvases, "Apple Blossoms" and "Visia on the Sound." In the latter the blue water of the bay, dotted with boats, is seen

through a break in the woods. Bouguereau's celebrated picture, "After the Battle," has been purchased by George H. Stayner, of Brooklyn, from Henry J. Chapman, It is one of the most important pictures by this artist which has found a resting place in an American art col-

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# SUICIDE BY POISON.

Disconsolate at the Loss of His Wife. In the month or August last John Bensing, & German, forty-four years of age, lost his wife, who was interred in Greenwood Cemetery. Bensing who was devotedly attached to his wife, often vis ited her grave, over which he would mourn for nted her grave, over which he would mourn for hours. At intervals since that time Bensing has been heard to threaten to take his own life, and on Monday evening he called on a widow of his acquaintance living at No. 246 avenue A and asked for a bed, as he felt sick. Becoming worse a doc-tor was called, and subsequently Bensing con-fessed that he had taken some poison at the grave of his wife. He ingered thil yesterday morning, when death ensued. Coroner Croker was notified to hold an inquest.

# SAD SUICIDE OF A BROOKLYN MATRON.

Coroner Jones was yesterday notified to hold as inquest over the body of Mrs. Emily Parker, a married moman, torty years of age, who was found hanging from a rope made last to a beam in the celiar of her place of residence, No. 116 Prospect street. For several weeks past deceased has been under the influence of an attack of melancholia, superinduced by the loss of a son. Yesterday morning she told her three little calldren to remain in the basement while she went down into the cellar. She took with her a skipping rope which belonged to her deceased calld, and with it she hing herself. Life was extinct when the body was discovered. street. For several weeks past deceased has been

# POOR IDA VAIL.

Justice Dealt Out to Her Tormentor in Jersey City.

The second trial of Alonzo Kimball, for complicity in the malepractice that caused the death of ida Vall in Jersey City, having resulted in a verdict of acquittal, Marcella K. Metzler, the arch-tormentor, who was convicted, was called up for sentence yesterday. A motion for a new trial was denied, and Judy Hofman sentenced her to ten years at hard ladyr in the State Prison. Out or three accused parties in the case Metzler is the only one convioued. Whe mother of the ill-inted ida is in great distress in Newark.